

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA,	:	CIVIL NO. 1:CV-01-1084
Plaintiff	:	
v.	:	
\$1,790,021 IN U.S. CURRENCY,	:	
Defendant	:	
Alejandro Martinez-Lopez, Claimant	:	

ORDER

Before the court is Claimant's motion to suppress any and all evidence seized as a result of the unlawful stop, detention, arrest and subsequent search of Jose Montelongo on December 29, 2000. By previous order, the court ordered that parties to address the issue of Claimant's standing to request suppression. In order to assist the court in determining whether Claimant has standing, the court must hear testimony from the Claimant about his ownership or non-ownership of the tractor-trailer and its cargo, as well as whether he had a genuine subjective expectation of privacy which was invaded by a police stop that occurred when he was several thousand miles from the scene.

Accordingly, **IT IS HEREBY ORDERED THAT:**

- (1) A hearing on Claimant's motion to suppress is scheduled for Tuesday, May 13, 2003 at 9:30 a.m. in Courtroom 3, Eighth Floor, Federal Building, 228 Walnut Street, Harrisburg, Pennsylvania;
- (2) The parties shall be prepared to address, in addition to the substance of the motion, Claimant's standing to seek suppression;

(3) Claimant, Alejandro Martinez-Lopez, shall be present, in person, at that hearing. Mr. Martinez-Lopez's testimony is essential for the court to determine the issue of standing.

s/Sylvia H. Rambo
Sylvia H. Rambo
United States District Judge

Dated: April 30, 2003.